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Patent  
263/180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Sabine Muller, et al.**

**Serial No.:** 09/983,000

**Filed:** October 17, 2001

**For: USE OF PROTEIN BIOMOLECULAR  
TARGETS IN THE TREATMENT  
AND VISUALIZATION OF BRAIN  
TUMORS**

)  
) **Group Art Unit:** Not Assigned

)  
) **Examiner:** Not Assigned

STATEMENT UNDER 37 CFR 1.821(e)

Commissioner for Patents  
Washington, D.C. 20231

Sir:

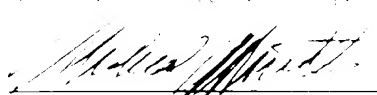
Enclosed in further response to the Notice to File Missing Parts mailed on November 20, 2001 is a replacement paper copy and computer readable form copy of the sequence listing for the subject application.

I hereby state that the content of the paper and computer readable form copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §§1.821(e), (f) and (g), or §§1.825(d) and (b), respectively, are the same, and that the attached sequence listing and computer readable form copy contain no new matter.

OC-101742.1

CERTIFICATE OF MAILING (37 C.F.R. §1.10)


Express Mail Label No.: EV 051065022 US  
Date of Deposit: January 22, 2002

  
Michael A. Smith

Applicant does not believe there are any fees required for the submission of this sequence listing. However, The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

By:   
Patrick S. Eagleman  
Reg. No. 44,665

Dated: January 22, 2002



**22249**

PATENT TRADEMARK OFFICE

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Patent  
Attorney Docket: 263/180

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Group Art Unit: Not Assigned

Examiner: Not Assigned

TRANSMITTAL OF MISSING PARTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

I. **DOCUMENTS ENCLOSED:**

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on November 20, 2001, enclosed are:

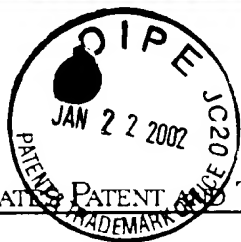
- ☐ Declaration
- ☐ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☐ Assignment of the invention to AGY Therapeutics (together with PTO Form 1595)
- ☐ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)
- ☐ A copy of the Substitute Sequence Listing (paper and computer readable form (CFR) copies), as required in the Notice to File Missing Parts. Also enclosed related to this sequence listing is a statement under 37 CFR §§ 1.821(e), 1.821(f), 1.821(g), 1.825(b) and 1.825(d).

OC-101723.1

CERTIFICATE OF MAILING (37 C.F.R. § 1.10)

Express Mail Label No.: EV 051065022 US  
Date of Deposit: January 22, 2002

Michael A. Smith



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20503  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	INVENTOR NAME	ATTORNEY NAME
09 983,000	10/17/2001	Sabine Muller	263-180

CONFIRMATION NO. 7766

22249  
LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES CA 90071

## FORMALITIES LETTER



\*OC000000067102315\*

FR

Date Mailed 11/20/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/21/2002 TCHAU 00000101 122475 09983000

01 FC:201 170.00 CH  
02 FC:205 65.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Missing Parts  
DNA Seq. Regmt. 1/20/02

An application number and filing date have been accorded to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e) and 1.825(a), 1.825(b), 1.825(c), and 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as required by 37 CFR 1.821(e) and 1.825(a), 1.825(b), 1.825(c), and 1.825(d).

For questions regarding compliance to these requirements, please contact  
Sequencing Technology Unit

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For questions regarding compliance to these requirements, please contact

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- To Purchase PatentIn Software, call (703) 306-2600
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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE